

**TENTATIVE RULINGS**

**CHILD SUPPORT CALENDAR**

**For: 11/03/10 Wednesday Dept: 4**

**(Posted 11/02/10)**

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Each matter on calendar will be called and parties are expected to attend. For those matters where the parties are not ordered to appear and either the parties agree or no objection is made at the hearing, the Court routinely adopts the tentative ruling as the ruling in the matter.

For privacy purposes on the publicly posted version of this document the parties' last names have been replaced by keeping only the first letter followed by three x's (example, John Doe = John Dxxx).

- 
1. **8:30 AM** Case: CV29416 [S] COUNTY OF CALAVERAS v Lxxx  
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 04/01/03  
Event: CSCSA'S MOTION RE SEEK EMPLOYMENT; \$15K

PLNTFF: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
CUS.PAR Gxxx, SUZANNA ATTY:  
Service Date/Type: 04/03/03 MAI  
DEFNDT: Lxxx, ERIC ATTY:  
Service Date/Type: 03/14/06 S/M

Tentative Ruling: The motion to seek work is granted. The Defendant is ordered to seek work by contacting 20 employers every 30 days and submit proof of compliance on the form provided by the agency. Provided the defendant appears, the next court date is at 8:30AM on 3/2/11.

- 
2. **8:30 AM** Case: 10CS36936 [S] COUNTY OF SAN JOAQUIN v Mxxx  
Type: REGISTRATION CALIF SUPPORT ORD Date Filed: 08/16/10  
Event: CSCSA'S MOTION RE MODIFICATION OF CHILD SUPPORT (FR \$444 TO \$830)

PETNR: COUNTY OF SAN JOAQUIN ATTY:  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
RESP: Mxxx, JAMES A. ATTY:  
O/PRNT: Hxxx, CHRISTINA ATTY:

Tentative Ruling: The custodial parent has requested an increase in the child support order. The custodial parent has the burden of showing changed circumstances since the last support order. The custodial parent has not met her burden of showing changed circumstances since the last support order of 2/1/09 as her Income and Expense Declaration is incomplete, fails to explain her lack of income, and how her current expenses are being met. Unless the parties agree to modification, or sufficient evidence of changed circumstances are presented, the motion is denied.

---

3. 8:30 AM Case: CV29919 [S] Cxxx v Nxxx  
Type: EST PARENTAL RELATION Date Filed: 09/09/03  
Event: CSCSA'S MOTION RE MODIFICATION OF CHILD SUPPORT (FR \$400 TO \$164)

PETNR: Cxxx, BETH A ATTY: IN PRO PER  
NKA: Sxxx, BETH A.  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
MINOR: Nxxx MINOR P.D.: RUSSO (P.D.), ARLEEN ESQ.  
RESP: Nxxx, JOHN ATTY: IN PRO PER  
Service Date/Type: 10/14/03 PER

Tentative Ruling: Respondent has requested a reduction in the child support order. As the prior order of 4/1/09 is an agreement under Fam. § 4065 no change in circumstances need be shown for modification. Absent objection and contrary evidence by the custodial parent, the court will grant the modification as outlined in the Agency pleading (CS=\$164) effective 10/1/10.

---

4. 8:30 AM Case: CV34215 [S] COUNTY OF CALAVERAS v Fxxx  
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 11/13/07  
Event: CSCSA'S MOTION RE MODIFICATION OF CHILD SUPPORT (FR ZERO TO \$788)

PLNTFF: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
CUS.PAR Kxxx, ELIZABETH L. ATTY:  
DEFNDT: Fxxx, JOSHUA M. ATTY:  
Service Date/Type: 12/06/07 PER Answer Date: 01/04/08

Tentative Ruling: The Agency has requested an increase in the child support order. The Agency has the burden of showing changed circumstances since the last support order. The Agency has met the initial burden on the motion as the last order was \$0.00 based upon a stipulation asserting both children lived with Defendant. Absent objection and contrary evidence by the parties, the court will grant the modification as outlined in the Agency pleading, but granting Defendant \$500/mo in transportation costs to allow him to purchase a car at the earliest opportunity, resulting in a child support order of \$538/mo owed by Defendant effective 12/1/10.

///

---

5. 8:30 AM Case: CV34780 [S] COUNTY OF CALAVERAS v Sxxx  
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 06/16/08  
Event: CSCSA'S MOTION RE MODIFICATION OF CHILD SUPPORT (FR \$560 TO \$258)

PLNTFF: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
CUS.PAR Sxxx, CLIFFORD A. ATTY:  
Service Date/Type: 06/19/08 MAI  
DEFNDT: Sxxx, JENNIFER ATTY:  
Service Date/Type: 07/11/08 NAR

Tentative Ruling: The Agency has requested a reduction in the child support order. The Agency has the burden of showing changed circumstances since the last support order. The Agency has met the initial burden on the motion. Absent objection and contrary evidence by the parties, the court will grant the modification as outlined in the Agency pleading, but changing the visitation percentage for child 1 to 14%, child 2 to 14%, and child 3 to 80% with the attendant changes in tax credits / settings resulting in a child support order of \$50.00/mo owed by Defendant effective 10/1/10.

---

6. 8:30 AM Case: CV35501 [S] Pxxx v Pxxx  
Type: DISSOLUTION WITH MINOR CHILDREN Date Filed: 02/19/09  
Event: CSCSA'S MOTION RE MODIFICATION OF CHILD SUPPORT (FR \$708 TO ZERO)  
02/28/11 1:30 1A FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: Pxxx, MARYANN ATTY: IN PRO PER  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
RESP: Pxxx, KEVIN D ATTY:  
Service Date/Type: 02/19/09 PER

Tentative Ruling: Respondent has requested a reduction in the child support order. Respondent has the burden of showing changed circumstances since the last support order. Respondent has met the initial burden on the motion as he is incarcerated with no present earnings. Absent objection and contrary evidence by the custodial parent, the court will grant the modification as outlined in the Agency pleading (CS=\$0) effective 10/1/10.

---

7. 8:30 AM Case: 10CS36937 [S] Axxx v Axxx  
Type: REGISTRATION CALIF SUPPORT ORD Date Filed: 08/16/10  
Event: CSCSA'S MOTION RE CONSOLIDATION & MOTION RE MOD OF CHILD SUPPORT  
Related cases NOT on this calendar: CV35829.

PETNR: Axxx, RENEE I. ATTY:  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
RESP: Axxx, ALFONSO B. ATTY:

Tentative Ruling: Petitioner declares she is on active duty with the United States Military and requests a continuance as provided under the law to present her defense(s). Petitioner's request to continue is granted and a future court date on the Agency's motions is set for Dept. 4 at 1:30PM on 2/23/11. The parties may appear by telephone at the hearing.

---

8. 8:30 AM Case: CV33343 [S] Bxxx v Bxxx  
Type: DISSOLUTION WITH MINOR CHILDREN Date Filed: 01/12/07  
Event: CSCSA'S OSC RE MODIFICATION OF CHILD SUPPORT

PETNR: Bxxx, KATRINA NICOLE ATTY: IN PRO PER  
NKA: Rxxx, KATRINA NICOLE  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
MINOR: Bxxx MINORS P.D.: KEENE (P.D.) PATRICK M ESQ  
RESP: Bxxx, ANTHONY RAY ATTY: IN PRO PER  
Service Date/Type: 02/14/07 PER

Tentative Ruling: Respondent has requested a modification in the child support order. Respondent has the burden of showing changed circumstances since the last support order. Respondent has met the initial burden on the motion as he was awarded primary physical custody of the children on 4/29/10. Absent objection and contrary evidence by the custodial parent, the court will grant the modification as outlined in the Agency pleading (CS=\$151 payable by Petitioner) effective 10/1/10.

---

9. 8:30 AM Case: CV34212 [S] CONTRA COSTA COUNTY v Cxxx  
Type: REGISTRATION CALIF SUPPORT ORD Date Filed: 11/08/07  
Event: CSCSA'S OSC RE CONTEMPT CITEE: PETER M. Cxxx; \$9K

PETNR: COUNTY OF CONTRA COSTA ATTY:  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
CUS.PAR Axxx, JEANETTE L. ATTY:  
RESP: Cxxx, PETER M. ATTY:

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

---

10. 8:30 AM Case: CV34759 [S] COUNTY OF CALAVERAS v Hxxx  
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 06/02/08  
Priority Info: \*LEAD CASE\* CONSOL W/ CV34760  
Event: CSCSA'S OSC RE CONTEMPT CITEE: DEENA C. Hxxx  
Related cases NOT on this calendar: CV34760.

PLNTFF: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
DEFNDT: Hxxx, DEENA C. ATTY:  
Service Date/Type: 06/09/08 PER  
FATHER: Txxx, GARY LEE TTY:  
Service Date/Type: 06/04/08 MAI

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

---

11. **10:30 AM** Case: CV27316 [S] COUNTY OF CALAVERAS v Hxxx  
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 03/08/01  
Event: CSCSA'S CONTINUED MOTION RE MODIFICATION OF CHILD SUPPORT

PLNTFF: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
MINOR: Hxxx MINOR P.D.: KEENE (P.D.), PATRICK M ESQ  
CUS.PAR Fxxx, KAREN ATTY: SALAZAR, ANTHONY T. ESQ  
DEFNDT: Hxxx, JORGE L ATTY: IN PRO PER  
Service Date/Type: 03/17/01 PER

Tentative Ruling: The Agency has requested a reduction in the child support order. The Agency has the burden of showing changed circumstances since the last support order. The Agency has met the initial burden on the motion as Defendant is on \$528/mo. unemployment income. The Court relies upon the parenting plan detailed in the 11/5/09 Ruling After Trial recently memorialized in an order dated 6/8/10, wherein Defendant has 25% visitation. The low income adjustment is applied. The Custodial Parent's average monthly income is \$850. The court presumes each parent has visitation and school costs associated with their child and thus no special allowances were given therefore. Absent objection and contrary evidence by the parents, the court will grant the modification reducing Defendant's child support to \$18/mo. effective 6/1/10.

END OF DOCUMENT